

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

ZA’KARI DIJON,

Plaintiff,

vs.

CENTRAL OHIO TRANSIT AUTHORITY,

Defendant.

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CASE NO.: 2:20-CV-005873

JUDGE SARAH D. MORRISON

MAGISTRATE JUDGE ELIZABETH  
PRESTON DEEVERS

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RULE 26(f) REPORT OF THE PARTIES

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Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on January 15, 2021 and was attended by Trisha M. Breedlove, counsel for Plaintiff Za’kari Dijon, and Matthew R. Planey and Theodore L. Klecker, counsel for Defendant Central Ohio Transit Authority.

Counsel represent that, during the meeting, they engaged in a meaningful attempt to meet and confer on the matters outlined below.

1. CONSENT TO MAGISTRATE JUDGE

Do the parties consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)?

\_\_\_\_\_ Yes            X       No

2. INITIAL DISCLOSURES

Have the parties agreed to make initial disclosures?

      X       Yes      \_\_\_\_\_ No      \_\_\_\_\_ The proceeding is exempt under Rule 26(a)(1)(B)

If yes, such initial disclosures shall be made by **February 1, 2021**.

3. VENUE AND JURISDICTION

Are there any contested issues related to venue or jurisdiction?

\_\_\_\_\_Yes      X\_\_\_\_No

4. PARTIES AND PLEADINGS

- a. The parties agree that any motion or stipulation to amend the pleadings or to join additional parties shall be filed by **February 15, 2021**.

5. MOTIONS

- a. Are there any pending motion(s)?

\_\_\_\_\_Yes      X\_\_\_\_No

- b. Are the parties requesting expedited briefing on the pending motion(s)?

\_\_\_\_\_Yes      \_\_\_\_\_X No

6. ISSUES

Jointly provide a brief description of case, including causes of action set forth in the complaint, and indicate whether there is a jury demand:

Plaintiff is a former employee of Central Ohio Transit Authority and brings claims of wrongful termination and retaliation under Title VII and Ohio Revised Code Section 4111.01. Plaintiff seeks a jury trial on all claims. Defendant denies that it engaged in any unlawful conduct.

7. DISCOVERY PROCEDURES

- a. The parties agree that all discovery shall be completed by **January 3, 2022**. The parties

agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and to file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court. To initiate a telephone conference, counsel are directed to join together on one line and then call the Magistrate Judge's chambers or provide the Court with a call -in number.

- b. Do the parties anticipate the production of ESI? \_\_\_\_\_ Yes \_\_\_\_\_ X No

If yes, describe the protocol for such production: Parties will cooperate and do not anticipate issues at this time.

- c. Do the parties intend to seek a **protective order** or clawback agreement? No.

If yes, such order or agreement shall be produced to the Court by \_\_\_\_\_

8. DISPOSITIVE MOTIONS

- a. Any dispositive motions shall be filed by **February 3, 2022**.
- b. Are the parties requesting expedited briefing on dispositive motions?

\_\_\_\_\_ Yes \_\_\_\_\_ X No

9. EXPERT TESTIMONY

- a. Primary expert reports must be produced within 45 days after the Court's decision on summary judgment.
- b. Rebuttal expert reports must be produced within 30 days of service of the primary expert reports.

10. SETTLEMENT

The parties engaged in settlement negotiations in January 2021 but have not reached a resolution. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference.

The Court refers cases to settlement throughout the year. The parties request the following month and year: **May 2021**.

In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the settlement conference. The parties understand that they will be expected to comply fully with the settlement conference orders which require, *inter alia*, that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

11. RULE 16 PRETRIAL CONFERENCE

Do the parties request a scheduling conference?

\_\_\_\_ Yes, the parties would like a conference with the Court prior to it issuing a scheduling order. The parties request that the conference take place \_\_\_\_\_ by telephone. in chambers \_\_\_\_\_.

X No, a conference is not necessary; the Court may issue a scheduling order after considering this Report.

12. OTHER MATTERS

The parties do not have any other matters for the Court's consideration.

Signatures:

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